

# United States District Court, Northern District of Illinois

Name of Assigned Judge or Magistrate Judge	ROBERT W. GETTLEMAN	Sitting Judge if Other than Assigned Judge	
CASE NUMBER	12 C 8264	DATE	10/17/2012
CASE TITLE	U.S. ex rel. Joseph Quesada (#R-46409) vs. Warden Michael P. Atchison		

**DOCKET ENTRY TEXT:**

The respondent is ordered to answer the petition or otherwise plead within twenty-one days of the date of this order.

■ [For further details see text below.]

Docketing to mail notices.

**STATEMENT**

Joseph Quesada, an Illinois state prisoner, has filed a *pro se* petition for a writ of habeas corpus pursuant to 28 U.S.C. § 2254. The petitioner challenges his conviction for first degree murder on the grounds that: (1) the evidence failed to establish his guilt beyond a reasonable doubt; (2) the indictment was based on testimony that was known to be perjured; (3) defense counsel provided ineffective representation; and (4) the petitioner's case was improperly transferred from juvenile court to adult criminal court.

The petitioner has paid the statutory filing fee and asserts that he has exhausted state court remedies with respect to the claims raised in his federal habeas petition. Furthermore, he appears to have filed his petition in a timely manner. Accordingly, the respondent is ordered to answer the petition or otherwise plead within twenty-one days of the date of this order. This preliminary order to respond does not, of course, preclude the State from making whatever waiver, exhaustion or timeliness arguments it may wish to present.

The petitioner is instructed to file all future papers concerning this action with the Clerk of Court in care of the Prisoner Correspondent. The court notes that the petitioner submitted an original petition plus voluminous exhibits. The petitioner is advised that he is required to provide the court with the original plus a judge's copy (including a complete copy of any exhibits) of every document filed. In addition, the petitioner must send an exact copy of any court filing to the Chief, Criminal Appeals Division, Attorney General's Office, 100 West Randolph Street, 12<sup>th</sup> Floor, Chicago, Illinois 60601. Every document filed by the petitioner must include a  
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**STATEMENT (continued)**

certificate of service stating to whom exact copies were sent and the date of mailing. Any paper that is sent directly to the judge or that otherwise fails to comply with these instructions may be disregarded by the court or returned to the petitioner.